REMARKS/ARGUMENTS

Claims 1-21 are pending in the present application and stand rejected.

Claims 1-3, 5, 7-10, 12, 14-17, 19 and 21 are rejected under 35 U.S.C. §102(b) as being anticipated by Neches (U.S. Patent 5,276,899).

Claims 4, 6, 11, 13, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neches (U.S. Patent 5,276,899).

Claims 1-2, 8-9, and 15-16 have been amended according to the specification. See e.g., Fig. 1 and pages 4-6. No new matter has been added.

Claim 1

Claim 1 is amended to recite, in part, a method comprising "serially receiving, from a source, a plurality of forward messages each addressed to a corresponding destination among a plurality of destinations; storing each forward message before attempting to send the forward message to its corresponding destination; for each stored forward message, receiving an availability signal indicating whether its corresponding destination is available to accept the stored forward message before attempting to send the stored forward message to its corresponding destination." The amended claim language clarifies that a message is received and stored before attempting to send the message to its corresponding destination. In addition, before the message is sent, an availability signal is received indicating whether the corresponding destination is available to accept the message.

By contrast, Neches discloses a system that uses "broadcasting with local access control" to exchange messages between processors. In Neches, a host computer initiates a transaction by sending a primary message that is received by every processor in the system and every processor in the system generates a message in response to the primary message. See, Neches at col. 16, lines 57-60 ("After each primary message has been transmitted through the network, the interface section of every processor generates a response message, even if it is only a NAP."). Alternatively, in what Neches describes as non-merge mode, a message is broadcast to all processors but accepted and acknowledged only by a specific processor. See, Neches at

col. 37, lines 52-67 (system broadcasts single processor transactions in non-merge mode, processor modules receive message, processor module with specified DPID accepts and acknowledges message).

Thus, Neches does not disclose "receiving an availability signal ... before attempting to send the stored forward message to its corresponding destination." (emphasis added). Instead, Neches simply transmits the message to every processor and determines availability based upon the response received. If the destination processors are available, they accept the message and send an acknowledgement. If not, the message is retransmitted at a later time. See e.g., Neches at col. 35, lines 30-35 ("At this point the message is accepted if the common (i.e. merged) response from the network is an ACK, affirming that all selected receiving processor modules can accept the message. If the response is in any other form, the message is rejected by all processors."). Thus, Neches does not separate (1) sending the message from (2) checking availability to accept the message. Therefore, Neches does not teach or suggest the limitation recited above.

Claim 1 also recites, in part, "for first stored forward messages whose corresponding first destinations are available, simultaneously sending the first stored forward messages to their corresponding first destinations, wherein a stored forward message is sent only to its corresponding destination and not until after receiving an availability signal indicating that the destination is available." (emphasis added). The amended claim language further clarifies that a stored message is sent only to its corresponding destination and only after the availability of its corresponding destination has been determined. Thus, a stored message in the present invention is not broadcast to every destination. Moreover, a stored message is not sent to its particular destination until it is first established that the particular destination is available to accept the message.

As previously discussed, Neches broadcasts messages from a host computer to every processor in the system and waits to see if one or more of the intended recipients have accepted the message. Thus, Neches does not teach or suggest "simultaneously sending the first stored forward messages to their corresponding first destinations, wherein a stored forward

message is sent only to its corresponding destination and not until after receiving an availability signal indicating that the destination is available" as recited in the claimed invention. Accordingly, Applicant requests reconsideration and allowance of claim 1.

Claims 2-7

Claims 2-7 depend from claim 1 and therefore incorporate the limitations discussed above. These claims are thus believed allowable over the cited reference for at least the reasons given.

Claims 8, 15

Independent claims 8 and 15 are each amended to recite similar limitations to claim 1 and are believed patentable over Neches for the reasons previously given. Specifically, claim 8 recites an apparatus comprising "means for storing each forward message before attempting to send the forward message to its corresponding destination; means for receiving an availability signal for each stored forward message indicating whether its corresponding destination is available to accept the stored forward message before attempting to send the stored forward message to its corresponding destination; means for simultaneously sending first stored forward messages to their corresponding first destinations, wherein a stored forward message is sent only to its corresponding destination and not until after receiving an availability signal indicating that the destination is available."

Claim 15 is directed to a computer program product operable to cause a programmable processor to "store each forward message before attempting to send the forward message to its corresponding destination; receive an availability signal for each stored forward message indicating whether its corresponding destination is available to accept the stored forward message before attempting to send the stored forward message to its corresponding destination; for first stored forward messages whose corresponding first destinations are available, simultaneously send the first stored forward messages to their corresponding first destinations, wherein a stored forward message is sent only to its corresponding destination and not until after receiving an availability signal indicating that the destination is available." Thus,

both claims 8 and 15 recite limitations not found in Neches and, therefore, are not anticipated by this reference. Applicant respectfully requests reconsideration and allowance of claims 8 and 15.
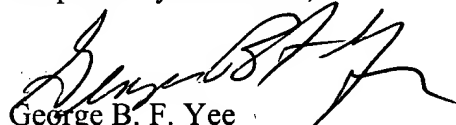
Claims 9-13, 16-21

Claims 9-13 depend from claim 8 and are believed allowable for at least the reason that they depend from an allowable base claim in addition to their unique limitations. Similarly, claims 16-21 depend from claim 15 and are also believed allowable for the reasons given above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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